

REMARKS

The Examiner's Action mailed on May 4, 2007, has been received and its contents carefully considered.

In this Amendment, Applicant has amended the specification and claim 1 for improved clarity. New dependent claims 13-14 have been added to further define the features of the invention. Claims 1-14 are pending in the application, of which claims 4-12 are withdrawn. Claim 1 is independent claim. For at least the following reasons, it is submitted that this application is in condition for allowance.

The Examiner has rejected claims 1 and 3 as being anticipated by *Wisniewski*. It is submitted that these claims are patentably distinguishable over the cited reference for at least the following reasons.

It is well settled that a reference may anticipate a claim within the purview of 35 U.S.C. § 102 only if all the features and all the relationships recited in the claim are taught by the reference structure either by clear disclosure or under the principle of inherency.

Amended independent claim 1 is directed to an air pressure-adjusting device for adjusting an air pressure of a container, which has an outlet for releasing air. The air pressure-adjusting device comprises a driving element, a shifting element, and a deformation element. The shifting element has a cavity. The shifting element is coupled to the driving element, and is driven by the driving element to make a displacement. The deformation element is disposed at the cavity of the shifting element. The deformation element exerts a force to cover partially or completely the outlet **and** deform into the cavity according to a degree of the displacement of the shifting element, and the deformation element controls

the amount of air released from the container to adjust an air pressure in the container according to the force and the air pressure in the container.

Wisniewski discloses a solenoid valve includes an armature plunger 76 with an elastomeric tip 80, and a valve 10. The armature plunger 76 has a lower cylindrical end portion in which internal threads are formed, and the elastomeric tip 80 is locked on the armature plunger by engaging with the internal threads (col. 2, lines 63-68). The Examiner characterized the portion shown with thin diagonal lines surrounding element 80 as the cavity of the claimed invention, and stated that the elastomeric tip 80 deforms into the cavity. However, the elastomeric tip of *Wisniewski*, considered by the Examiner as the teaching of the deformation element, is secured on the cylindrical end portion of armature plunger 80, as considered by the Examiner as the teaching of the shifting element; so that it is impossible for the elastomeric tip to deform into the cylindrical end portion of the armature plunger. Accordingly, *Wisniewski* fails to disclose that the deformation element exerts a force to cover partially or completely the outlet and deform into the cavity according to a degree of the displacement of the shifting element, as recited in claim 1.

As such, it is submitted that claim 1, as well as claims 2-3 dependent therefrom, are patentably distinguishable over the cited reference. It therefore is requested that this rejection be withdrawn.

The Examiner has rejected claims 1 and 3 as being anticipated by *Giorgi et al.* (US Pat. 3,558,099). It is submitted that these claims are patentably distinguishable over the cited reference for at least the following reasons.

Giorgi et al. disclose that a solenoid actuated valve includes a solenoid unit 10 and a valve body 12 secured thereto. The solenoid unit includes a reciprocable plunger 80 mounted within the housing. A rigid backup plate 68 having an axial passage 72 is disposed under the plunger 80, and a pin 74 is supported in the passage 72. A compression spring 76 abuts the top of the backup plate 68 and the bottom of the solenoid unit 10. Diaphragms 62 and 64 rest at the bottom of the rigid backup plate 68. When the plunger 80, in normal position, closes downwardly against pin 74, the pin 74 presses against diaphragms 62-64 so as to close exit passage 52 (see col. 2, lines 42-44). As it is desired to eject fluid or gaseous spray through the outlet, the solenoid retracts plunger 80, permitting the pressure of the gas to flex the diaphragm and open the conduit for flow through exit passage 52 (col. 5, lines 44-48).

The Examiner has characterized the center portion of the spiral spring as the cavity of the claimed invention, and stated that diaphragms 62 and 64 are disposed at the cavity. However, the diaphragms 62 and 64, considered by the Examiner as the teaching of the deformation element, are outside the spiral spring (see FIG. 2), rather than being disposed at the center portion of the spiral spring. On the contrary, the bottom surface of the rigid backup plate 68, which contacts with the diaphragms 64 and 66, is an even surface without any cavity. *Giorgi et al.* fail to disclose that the deformation element is disposed at the cavity of the shifting element, and also that the deformation element exerts a force to deform into the cavity, as recited in claim 1. As such, it is submitted that claim 1, as well as claims 2-3 dependent therefrom, are patentably distinguishable over the cited reference. It therefore is requested that this rejection be withdrawn.

The rejection of claim 2 under 35 USC 103(a) as being unpatentable over *Negishi* (US Pat. 6,346,082) in view of *Wisniewski* has been carefully considered but most respectfully traversed in view of the amendments to the claims and further in view of the above comments. The *Negishi* reference does not overcome the deficiency of the primary references as discussed above. Accordingly, it is most respectfully requested that this rejection be withdrawn.

Based on the above, it is submitted that the application is in condition for allowance and such a Notice, with allowed claims 1-3, 13 and 14, is earnestly solicited.

Should the Examiner feel that a conference would help to expedite the prosecution of the application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fee be required, the Director is hereby authorized to charge the fee to our Deposit Account No. 18-0002.

Respectfully submitted,



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Date

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AMENDMENT

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